

**BOROUGH OF DUMONT  
BERGEN COUNTY, NEW JERSEY  
EXECUTIVE MEETING MINUTES  
JULY 15, 2014  
6:30 PM**

Mayor Kelly called the meeting to order at 6:30PM

Flag Salute; Moment of Silence

**Sunshine Law:** The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this regular meeting in the annual schedule and notice of regular meetings of this Governing Body. Such annual schedule and notice of regular meetings is posted at Borough Hall, was sent to *The Record* and the *Ridgewood News*, posted on the Borough website and filed with the Borough of Dumont.

**Roll Call:**

Council members: Brophy, Correa, Manna, Riquelme, Zamechansky-present

Councilman Hayes-absent

Mayor Kelly-present

Motion to accept agenda as presented: Councilman Brophy

Second: Councilman Riquelme

All in favor.

Motion to open to the public: Councilman Brophy

Second: Councilman Manna

All in favor.

Motion to close to the public: Councilman Riquelme

Second: Councilman Brophy

All in favor.

**Administrator's Report**

absent

**Engineer Gibson's Report**

Bid documents are being prepared for the sanitary sewer project. The scope of the project is cleaning, videoing, inspecting the joints, looking for areas of water inflow into the pipes and sealing to eliminate some of that infiltration.

The contractor for the Depew Phase I project, Sinisi, returned last week and finished repairing the asphalt seams. The project is being closed out.

The contractor for Depew Phase II is Sanzari. He said he would complete his repairs this week but Mr. Gibson hasn't been able to reach him. If Sanzari doesn't return his call, he will speak to the Borough attorney about doing something with the performance bond.

Memorial Field tennis court project is complete.

There are still two issues pending with the Fence project. The electrical work at the batting cage has not been completed and the fence is a little loose. Carjen Fence does not want to tighten the fence for fear it might break so they have been discussing this. Mr. Gibson will send another letter to the contractor to put him on notice.

Two neighbors are complaining about balls in their backyards since the new fence was installed.

The Mayor said there was good attendance at the meeting held for residents of Roosevelt Avenue. Most seemed willing to participate in putting drainage in their backyard. A second letter was sent out to the residents asking if they would participate. If most of the homeowners agree, their cost would probably be less.

#### **Attorney's Report**

The Borough received notice of completeness of the Borough's petition to COAH for third round compliance and prior round compliance, which was helpful in the motion in court on the 24<sup>th</sup>. We had a sub-committee meeting last week. Councilman Manna attended the July 2<sup>nd</sup> COAH public comment hearing.

There have been no significant developments in connection with the police promotion litigation. Mr. Paster is proceeding as instructed on the third party indemnification claim and JIF counsel is defending the Borough on the affirmative claims.

The court dismissed the builder's remedy portion of the complaint without prejudice at a June 24<sup>th</sup> hearing, temporarily removing the most onerous threat in the litigation, the near term imposition of a builder's remedy and the impacts of that remedy. He has some procedural issues to deal with in court. He would like to discuss in closed session the information circulated regarding options for rezoning.

An issue has arisen regarding Board of Education funding obligations by the Borough. Historically, there has been an understanding between the Borough and Board that the Board would await summer funding until tax bills for the third quarter could be processed. However, the County and State budgets were adopted late this year. Action is pending tonight to issue a Tax Anticipation Note that will tide everyone over until tax bills go out for the third and fourth quarter.

Mayor Kelly said he spoke to Mr. Vinci, the Borough Auditor, who represents many towns. Mr. Vinci said that most towns work it out with their Board of Education. The Mayor said that there is also a problem with communication. He is planning to meet with the Administrator, the CFO and Mr. Vinci to talk about what happened and how to prevent it in the future. He will then meet with the Board of Education. He would like some kind of formal agreement for the future.

Councilwoman Correa stated that there has to be better communication. Estimated tax bills would be a less expensive option than a tax anticipation note. Estimated tax bills for next year should be provided for in next year's budget.

Councilwoman Zamechansky stated that she understands it is our obligation to pay the Board of Education but if this has happened the past seven years, what changed this year? Did the Board of Education speak to someone in the Borough prior to sending out a letter to the State?

#### **Mayor's Report**

No report

Review prior to public meeting:

#### **Consent Agenda**

#14-144 Bills List

#14-145 2013 Audit Corrective Action. Councilman Manna suggested a mid-year follow-up to make sure the recommendations are being executed.

#14-146 Approval of Dumont Elks Lodge #2593 Off-premise Cash Raffle to be held October 11, 2014; ID#109-6-33628, RL#410

- #14-147 Approval of Dumont High School Music Boosters On-premise Cash Raffle to be held 9/12, 9/27, 10/10, 10/17, 10/24 and 11/27; ID#109-5-36714, RL#411
- #14-148 Approval of Police Department Towing Company List-7/1/14-6/30/15
- #14-149 Approval of Fire Company #2 Boot Drive to be held September 27, 2014
- #14-150 Approval of Patton Place Block Party Request to be held August 2, 2014
- #14-151 Approval of Liquor License Renewal-Cedar Tavern Corp.
- #14-152 Authorization of Installation of Temporary Cell Tower-\$12,000 revenue
- #14-153 Approval of Appointment of Police Reserves
- #14-154 Approval of Margaret Court Block Party Request to be held August 30, 2014
- #14-155 Approval of Erie Street Block Party Request to be held August 2, 2014
- #14-156 Appointment of Interim Borough Financial Advisor-When asked, Mr. Paster stated that both firms-Acacia and NW Financial, which applied, are competent. The Council noted that NW's fees are lower.
- #14-157 Resolution Authorizing the Issuance of Not Exceeding \$5,400,000 of Tax Anticipation Notes

## **ORDINANCES**

### ***Second Reading***

**#1474** An Ordinance to Amend, Revise and Supplement Compensation Ranges for Certain Officers and Employees

Mr. Paster commented that he had received a letter from the PBA attorney concerning the rank of Police captain being included in the ordinance and that has been removed. The other concern was longevity and there is a paragraph stating that contractual employees will not be covered by this ordinance so the PBA's concerns have been addressed.

Councilman Riquelme stated that he is in favor of giving salary increases to the court clerks based on their certification.

Motion to adjourn: Councilman Brophy

Second: Councilman Manna

All in favor.

Minutes respectfully submitted by:

Susan Connelly, RMC  
Municipal Clerk

